

Introduced by Senator Ortiz

February 13, 2004

An act to add Sections 1264 and 1264.5 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1275, as introduced, Ortiz. Hospitals: maternity services.

Under existing law, the State Department of Health Services regulates the licensure and operation of health facilities, including general acute care hospitals. Violation of these provisions is a crime.

This bill would require a general acute care hospital to provide or arrange for the provision of a minimum of 18 hours of basic lactation management training for all licensed nurses working in the hospital's maternity unit. The bill would allow a licensed nurse to demonstrate proficiency in basic lactation management, in accordance with standards established by the department, in lieu of completing the training.

This bill would require a general acute care hospital to adopt a policy prohibiting the marketing of infant formula and the distribution of free formula samples in the hospital's maternity units.

By expanding the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.



Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1264 is added to the Health and Safety
2 Code, to read:
3 1264. (a) A general acute care hospital shall provide or
4 arrange for the provision of a minimum of 18 hours of basic
5 lactation management training for all licensed nurses working in
6 the maternity unit of the hospital.
7 (b) A licensed nurse may demonstrate proficiency in basic
8 lactation management, in accordance with standards established
9 by the State Department of Health Services, in lieu of completing
10 the training required under this section.
11 SEC. 2. Section 1264.5 is added to the Health and Safety
12 Code, to read:
13 1264.5. A general acute care hospital shall adopt a policy
14 prohibiting the marketing of infant formula and the distribution of
15 free formula samples in the hospital's maternity unit.
16 SEC. 3. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.

